

FILED

NOT FOR PUBLICATION

FEB 24 2006

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

ROBERT EARL KRONCKE,

Plaintiff - Appellant,

v.

STATE OF ARIZONA, sued in individual
& official capacity; et al.,

Defendants - Appellees,

and

TERRY L STEWART; et al.,

Defendants - Appellees.

No. 05-16038

D.C. No. CV-03-02481-MHM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Mary H. Murguia, Distict Judge, Presiding

Submitted February 21, 2006**

Before: SCHROEDER, Chief Judge, GOODWIN and RAWLINSON, Circuit Judges.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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Appellant's motion to correct the caption is granted. Accordingly, the Clerk shall amend the docket to reflect the above-corrected caption.

A review of the record, the opening brief, and appellant's response to the November 23, 2005 order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

All other pending motions are denied as moot.

AFFIRMED